

MELISSA A. MARAS,)
Plaintiff,)
))
v.) **Case No. 2:16-cv-04210**
))
THE CURATORS OF THE)
UNIVERSITY OF MISSOURI, et al.,)
Defendants.)

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6. Plaintiff was granted leave, and her First Amended Petition was filed with the state court on June 20, 2016.

7. Defendants then initiated the removal of this case to federal court on July 20, 2016, based on federal question jurisdiction given the new claim brought under federal employment law.

8. Defendants also sent a letter to the Commission, dated July 25, 2016, requesting that the Commission vacate its closure of the administrative complaint and issue a new right to sue letter that reflected the Commission's true findings, as set forth in the investigative summary.

9. The Commission then vacated the closure of the complaint, due to an error, and issued a new right to sue letter dated August 1, 2016, that specifically states that Plaintiff has "NO RIGHT TO SUE on Allegations before June 7, 2015 – BECUASE OF LACK OF JURISDICTION" but does have a right to sue on "all allegations after June 7, 2015." See Exhibit C and Exhibit D attached hereto.

10. On August 29, 2016, Plaintiff filed a Petition for Declaratory Judgment and Writ of Mandamus against the Executive Director of the Commission in the Circuit Court of Cole County, Missouri, asking that the court declare that the Commission lacked authority to vacate the original right to sue letter and to order the Commission to rescind the latest right to sue letter and affirm the original, unlimited right to sue letter (*Melissa Maras v. Alisa Warren*, Case No. 16AC-CC00364, Circuit Court of Cole County, Missouri).

11. The resolution of that tangential case will have a direct impact on what allegations Plaintiff can use to support her claim for violation of the MHRA against the Defendants in this case, including whether plaintiff has a viable claim against any of the individual defendants in this case.

12. The parties in this case have conducted their Rule 26 conference and have produced their initial Rule 26 disclosures. No further discovery has been completed at this time.

13. It is preferable that the legal issue underlying plaintiff's right to sue under the MHRA, now pending before the Circuit Court of Cole County, be resolved before the parties invest additional time and efforts to conduct further discovery and motions in this case.

14. In order to preserve the resources of all involved, and to promote judicial economy, Defendants request that the present proceedings be stayed until resolution of Case No. 16AC-CC00364.

15. Granting a stay of the proceedings in this case will not unduly prejudice any of the parties involved.

16. Suggestions in Support of this motion are filed and incorporated herein by reference.

17. Defendants wish to also make an oral argument on this motion.

WHEREFORE, Defendants The Curators, Daniel L. Clay, Keith Herman, Matthew P. Martens, Timothy C. Riley-Tillman, and R. Bowen Loftin, pray this Court stay the present proceedings until a judgment has been entered in Case No. 16AC-CC00364, and to award Defendants such other and further relief as the Court deems just and appropriate under the circumstances.

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/s/ Colly J. Durley

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Certificate of Service

I certify that on September 14, 2016, I served this document upon all attorneys of record through the Court's electronic filing system.

/s/ Colly J. Durley

Colly J. Durley